

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:
DEUTSCHE BANK TRUST COMPANY	:
AMERICAS, as Trustee and Securities	:
Intermediary,	:
	:
Plaintiff,	:
	:
- against -	:
	No. 1:08 CV 00955 (LAK)
	:
LACROSSE FINANCIAL PRODUCTS, LLC,	:
CEDE & CO., as Holder of certain Secured Notes	:
and nominee name of the Depository Trust	:
Company, AURELIUS CAPITAL PARTNERS,	:
LP, THE BANK OF N.T. BUTTERFIELD & SON	:
LIMITED, MAGNETAR CONSTELLATION	:
MASTER FUND, LTD., MAGNETAR	:
CONSTELLATION MASTER FUND III, LTD.,	:
MAGNETAR CONSTELLATION FUND II,	:
LTD., PALMER SQUARE 3 LIMITED, PASA	:
FUNDING 2007-1, LTD., REVELSTOKE CDO I	:
LTD., SILVER ELMS CDO plc, STANTON CDO	:
I S.A., UBS ABSOLUTE RETURN BOND FUND,	:
a fund of UBS Funds, Inc., UBS GLOBAL BOND	:
FUND, a fund of UBS Funds, Inc., ZAIS	:
OPPORTUNITY MASTER FUND, LTD, and	:
DOES 1 through 100, owners of beneficial interests	:
in the Secured Notes,	:
	:
Defendants.	:
	:

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Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Deutsche Bank Trust Company Americas (“Deutsche Bank”) provides the following initial disclosures to Defendants. These initial disclosures are based on the information available to Deutsche Bank at the present time after reasonable inquiry, without prejudice to its right to identify or present additional evidence (including, but not limited to, evidence obtained through

discovery or through continued investigation in this action or any future filing, proceeding, or trial).

#### I. IDENTIFICATION OF INDIVIDUALS

Pursuant to Rule 26(a)(1)(i) of the Federal Rules of Civil Procedure, Deutsche Bank identifies the following individuals as ones who may currently have discoverable information that may be used to support its claims or defenses, unless solely for impeachment. Deutsche Bank expects that discovery might reveal or indicate the identity of other individuals who may have discoverable information. Deutsche Bank does not concede that the individuals listed below necessarily have discoverable information. Deutsche Bank incorporates by reference below the individuals listed for this purpose by any other party.

<u>Name</u>	<u>Subject</u>
Stephen T. Hessler Director CDO Business Unit Deutsche Bank Trust Company Americas Deutsche Bank National Trust Company Global Transaction Banking Trust & Securities Services Structured Finance Services 1761 East Saint Andrew Place Santa Ana, California 92705-4934 714-247-6000	Information and documents concerning the Indenture, notices to parties having rights under the Indenture, and the Interpleader Escrow Account in this action
Corporate representative of Defendant Aurelius Capital Partners, LP c/o Aurelius Capital Management, LP 535 Madison Avenue 22nd Floor New York, New York 10022 646-445-6500	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action

<u>Name</u>	<u>Subject</u>
Corporate representative of Defendant The Bank of N.T. Butterfield & Son Ltd. 65 Front Street Hamilton, Bermuda HM AX 441-299-3826	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Cede & Co. c/o Isaac Montal, Esq. 55 Water Street New York, New York 10041 212-855-3253	Information and documents concerning owners of Notes subject to the Indenture in this action
Corporate representative of Defendant LaCrosse Financial Products, LLC 113 King Street Armonk, New York 10504 914-765-3605	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Magnetar Constellation Master Fund, Ltd. c/o Magnetar Capital LLC 1603 Orrington Avenue Evanston, Illinois 60201 847-869-9426	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Magnetar Constellation Master Fund III, Ltd. c/o Magnetar Capital LLC 1603 Orrington Avenue Evanston, Illinois 60201 847-869-9426	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Magnetar Constellation Fund II, Ltd. c/o Magnetar Capital LLC 1603 Orrington Avenue Evanston, Illinois 60201 847-869-9426	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action

<u>Name</u>	<u>Subject</u>
Corporate representative of Defendant Palmer Square 3 Limited 5 Harbourmaster Place International Financial Services Centre Dublin 1 Ireland	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant PASA Funding 2007-1, Ltd. c/o Ogier Fiduciary Services (Cayman) Ltd. P.O. Box 1234 GT Queensgate House, South Church Street George Town, Grand Cayman KY1-1108 Cayman Islands, The British West Indies 345-945-6264	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Revelstoke CDO I Ltd. c/o Maples Finance Limited P.O. Box 1093 GT Queensgate House, South Church Street George Town, Grand Cayman KY1-1108 Cayman Islands, The British West Indies 345-945-7099	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant Silver Elms CDO plc c/o Deutsche International Corporate Services (Ireland) Limited 5 Harbourmaster Place International Financial Services Centre Dublin 1 Ireland 353-1-680-6017	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action

<u>Name</u>	<u>Subject</u>
Corporate representative of Defendant Stanton CDO I S.A. c/o Law Debenture Fifth Floor 100 Wood Street London EC2V 7EX 44-207-606-5451	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant UBS Absolute Return Bond Fund, a fund of UBS Funds, Inc.. c/o Keith R. Dutil Stradley, Ronon, Stevens & Young, LLP 2600 One Commerce Square Philadelphia, Pennsylvania 19103-7098 215-564-8000	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Defendant UBS Global Bond Fund, a fund of UBS Funds, Inc. c/o Keith R. Dutil Stradley, Ronon, Stevens & Young, LLP 2600 One Commerce Square Philadelphia, Pennsylvania 19103-7098 215-564-8000	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action

<u>Name</u>	<u>Subject</u>
Corporate representative of Defendant ZAIS Opportunity Master Fund, Ltd. c/o Denise Crowley ZAIS Solutions, LLC The Galleria Bldg 3 2nd Floor 2 Bridge Avenue Red Bank, New Jersey 07701 732-450-7431	Information and documents concerning its position as to the interpretation of the language of the Indenture at issue in this action
Corporate representative of Wachovia Capital Markets LLC 375 Park Avenue, 2nd Floor New York, New York 10152 212-214-8700	Information and documents concerning the Indenture and related documents
Gregg Jubin, Esq. Cadwalader, Wickersham & Taft LLP 227 West Trade Street Charlotte, North Carolina 28202 704-348-5100	Information and documents concerning the Indenture and related documents
Shirley E. Curfman, Esq. Sonnenschein Nath & Rosenthal LLP 601 South Figueroa Street Suite 1500 Los Angeles, California 90017-5704 213-623-9300	Information and documents concerning the Indenture

## II. DOCUMENTS AND THINGS

Pursuant to Rule 26(a)(1)(ii) of the Federal Rules of Civil Procedure, Deutsche Bank describes below by category and location the documents, electronically stored information, and tangible things that are in its possession, custody, or control and that it may use to support its claims or defenses, unless solely for impeachment:

- a. The Indenture and the documents relating to it;

- b. Notices to persons having rights under the Indenture and the documents relating to it; and
- c. Documents concerning amounts deposited in, and interest earned on, the Interpleader Escrow.

Such documents are located generally at the offices of Deutsche Bank in New York City or Santa Ana, California or through Deutsche Bank's electronic document retention systems. Deutsche Bank notes that its investigation is ongoing and that it may discover and identify additional documents in the future. Deutsche Bank also reserves the right to rely on documents or information disclosed or produced by other parties.

### III. COMPUTATION OF DAMAGES

Pursuant to Rule 26(a)(1)(iii) of the Federal Rules of Civil Procedure, Deutsche Bank states that it is a stakeholder in this interpleader action and is not seeking damages from Defendants.

### IV. INSURANCE AGREEMENTS

Pursuant to Rule 26(a)(1)(iv) of the Federal Rules of Civil Procedure, Deutsche Bank states that it is not currently aware of any agreement under which an insurance business may be liable either to satisfy all or part of a possible judgment against it in this action or to indemnify or reimburse it for payments made to satisfy such a judgment.

Deutsche Bank reserves the right to supplement or amend any or all these disclosures at any time if new or different information or documents come to its attention through further investigation, discovery, or otherwise.

Dated: June 2, 2008

NIXON PEABODY LLP

By: /s/ Christopher M. Mason  
Christopher M. Mason (CM-7146)

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